

March 31, 1976

So the bill was horrible and terrible then, it is horrible and terrible now. Even though great pressure has been brought to bear on all the members of this Legislature, with the exception of myself and perhaps some of you have not received any pressure also, you are not in a position where you have to force something on the public which has all of the defects of a bill like this. This is not in the interest of the public. When people find out what rights have been taken from them by the Legislature....

I think since some of you are so sensitive to those things you will feel great embarrassment. When the ridicule comes be willing to accept it and I'm going to help to continue to heap the ridicule on you. You're not acting in ignorance now. You're not acting without knowledge. The records of the debate on this floor will adequately reveal all of the things that were discussed. When some people want to demonstrate the competency in matters of law, and we read how shallowly and superficially and incorrectly they argued the various points in this bill, the way they denied knowledge of certain legal principles, then I think that is going to be a very damaging thing and a heavy millstone to bear around your neck for the rest of the time that you're in this Legislature.

I feel that my responsibility is to remind people when they have acted against the interests of the public, when they have done things, knuckling under and buckling under to a special interest group, and I'm talking about the doctors, you have not done them a service by helping them in their ignorance and naivete, to use Senator Schmit's word, to degrade the image of the medical profession with a monstrosity such as this.

Everything about it is symbolic of how the public's interests are sacrificed and crushed into the ground. A meat packer's bill for a doctors' bill. The butcher and the doctor are joining hands. The Amalgamated Meat Cutters of North America and the Nebraska Medical Association. Since a lot of the letters are already in common I'm sure they can get one group of letters to fit both of them. The slaughterhouse and the hospital, there is no difference. But I dare say you would be required to use more humane methods to slaughter livestock in the slaughterhouse than a doctor is required to use in treating patients under this bill because if doctors are so careless and so callous that they want this kind of bill to limit their responsibility and lower the standard of care that they must manifest, it indicates to me a great realization of their own incompetency and inability to function as a capable physician. The way to deal with malpractice problems is to be careful and exercise due care in utilizing proper surgical and medical delivery procedures. Frivolous cases are dismissed. The only recoveries that occur are in the instances where malpractice is proved. Now what this bill is saying is that where you have proved malpractice, where you may prove gross negligence, the doctor's responsibility is going to be limited because, peasant-like before nobility, the Legislature is going to bow on its knees and gravel in the dirt before the vaunted medical profession. Setting a